

REMARKS

In response to the Office Action mailed on November 1, 2007, Applicants respectfully request reconsideration based on the above claim amendments and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

Claim Disposition

Claims 2-26 are pending in the application. Claim 1 was previously canceled. Claims 12-22 have been withdrawn. Claims 2-11, and 23-26 have been rejected.

Claim Amendments

Claim 5 has been amended, leaving Claims 2-11 and 23-26 for consideration upon entry of the present amendment. No new matter has been added by the amendments.

Claim Restrictions

Applicants appreciate the withdrawal of the restriction, by the Examiner, between Claims 23, 2 and 7.

Claim Rejections - 35 U.S.C. § 103

Claims 3-6, 8-10, and 23-26 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,960,530 to Kerr et al. (hereinafter "Kerr"). Applicants respectfully traverse the rejection and submit that Kerr does not teach or suggest all of the elements of Claims 3-6, 8-10, and 23-26.

Claim 23 includes the limitation of *a fusion securing said metal interface cup with said metal probe case at an interface between said bottom surface and said second bore*. With *a fusion* being defined in paragraph [0053] of the specification as "gluing or other metal to metal adhesion," this limitation of Claim 23 requires the metal of *said metal interface cup* to be adhered to the metal of *said metal probe case* with the fusion. The

two metal components of Kerr, however, that the Examiner has correlated as *said metal interface cup* 108 and *said metal probe case* 14, are not only not in direct contact with one another, but they are separated from one another by five components positioned therebetween, specifically; electrical contact terminal 102, grommet 110, O-ring 112, end flange 106 and metal flange 38. The Examiner has simply written the word “fusion” and connected a lead line from the word fusion to the electrical contact terminal 102 of FIG. 12 of Kerr. Applicants respectfully submit that the electrical contact terminal 102 of Kerr cannot adhere the component 108 to the component 14 since they are not in contact with one another at this location as just described. With Kerr not disclosing the *fusion* as claimed in Claim 23, the anticipation rejection is improper and should be withdrawn.

Additionally, Applicants respectfully submit that Kerr fails to disclose the claimed limitation of *a metal probe case having a first bore and a second bore, said first bore receptive to said metal interface cup and having a first surface defining a closed end of said first bore, said second bore oriented such that only a portion of said second bore intersects said first surface to create a through hole into said first bore*. The Examiner correlates a bore housing the O-ring 112 in the support head 14 as being *said first bore*, the ledge 100 (FIG. 12) as being *said first surface*, and the bore 122 as being *said second bore* as best shown in FIG. 13 of Kerr. A close review of FIG. 13, however, reveals that the full diameter of the bore 122 intersects with the ledge 100. As such, Kerr does not disclose *said second bore oriented such that only a portion of said second bore intersects said first surface* since *ALL* of said second bore intersects said first surface. Without Kerr disclosing this claimed element of Claim 23 the anticipation rejection is improper and should be withdrawn.

Claim 26 includes the limitation of *the proximity probe secured with the metal interface cup*. A proximity probe monitors the proximity, or distance, of something to the probe. In contrast, the probe disclosed in Kerr is for liquid aspirating and dispensing and as such is not capable of monitoring the proximity of something to the probe. As

such, Kerr does not disclose this claimed element of Claim 26; the anticipation rejection is improper and should be withdrawn.

Claims 3-6, 8-10, and 24-26 are either directly or indirectly dependent upon Claim 23 and as such include all of the elements of Claim 23. The anticipation rejections of Claims 3-6, 8-10, and 24-26 are, therefore, improper for at least the reasons the anticipation rejections of Claim 23 are improper and they should be withdrawn.

#### Other Dependent Claim Rejections

Claims 7 and 11 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kerr, as applied to claim 23 above, in view of U.S. Patent No. 7,093,362 to Dallmeyer et al. (hereinafter “Dallmeyer”). Applicants respectfully traverse the rejection and submit that Dallmeyer in combination with Kerr does not teach or suggest all of the elements of Claims 7 and 11.

Claim 3 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kerr, as applied to claim 23 above, in view of U.S. Patent No. 6,376,800 to Updegrove et al. (hereinafter “Updegrove”). Applicants respectfully traverse the rejection and submit that Updegrove in combination with Kerr does not teach or suggest all of the elements of Claim 3.

Claims 3, 7 and 11 are directly dependent upon Claim 23 and as such include all of the limitations of Claim 23. The Examiner has correctly not credited either Dallmeyer nor Updegrove with disclosing either *a fusion securing said metal interface cup with said metal probe case at an interface between said bottom surface and said second bore* nor *said second bore oriented such that only a portion of said second bore intersects said first surface*, as discussed above. As such, neither Dallmeyer nor Updegrove cure the deficiencies of Kerr and, therefore, the combination of Dallmeyer and Updegrove with Kerr cannot cure the deficiencies either, and the rejections of Claims 3, 7 and 11 are improper and should be withdrawn.

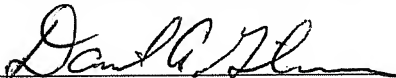
Conclusion

It is believed that the foregoing amendments and remarks are fully responsive to the Office Action and that the claims herein should be allowable to the Applicants. In the event the Examiner has any queries regarding the instantly submitted response, the undersigned respectfully request the courtesy of a telephone conference to discuss any matters in need of attention.

If there are any additional charges with respect to this Response or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully Submitted,

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